

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

William Pipes, Brittany Pipes, Briana  
Pipes, Takoda Pipes, Isaiha Pipes,

Plaintiffs,

vs.

United States of America, Steve Engen,  
Ken Halvorson, Corey Bristol, Jessica  
Folden, Titus Unknown, Steve Hall, Wade  
Enget, State Patrol Officer (unknown),  
Jason (unkown), Steve Gutknect, Dale  
Maixner, McKenzie Co. S.O./Jail, Sue  
Lloyd, Vicki Klein, John Evenson,  
Dr. Heninger,

Defendants.

**ORDER ADOPTING  
REPORT AND RECOMMENDATION**

Case No. 1:07-cv-057

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The plaintiff, William Pipes, filed this pro se civil rights action under 42 U.S.C. § 1983 on August 29, 2007. Magistrate Judge Charles S. Miller, Jr. conducted an initial review of Pipes' complaint as mandated by 28 U.S.C. § 1915A. On November 21, 2007, Judge Miller submitted a Report and Recommendation. Judge Miller recommended that Pipes be permitted to proceed against defendants Ken Halvorson and Corey Bristol in both their individual and official capacities on four of his twenty claims, that Pipes' children be dismissed as party plaintiffs, and that all other claims and defendants be dismissed without prejudice. Pipes was then given twenty (20) days to file an objection to the Report and Recommendation.

On December 18, 2007, Pipes submitted a letter by mail and stated that he could not afford to mail "paperwork to continue in cases 1:07-cv-57/67." See Docket No. 22. The Court construed Pipes' letter as a request for more time and, on January 8, 2008, the Court extended Pipes' time to file an objection until February 15, 2008. See Docket No. 23. No objection was filed.

The Court has carefully reviewed the Report and Recommendation, relevant case law, and the entire record and finds the Report and Recommendation to be persuasive. The Court **ADOPTS** the Report and Recommendation (Docket No. 16) in its entirety. As a result, the Court **ORDERS** as follows:

1. That Pipes' children shall be dismissed as parties from the action without prejudice;
2. That Pipes shall be permitted to proceed against defendants Ken Halvorson and Corey Bristol in both their individual and official capacities, but only with respect to the following claims:
  - a. Claim number 4 (interference with legal mail)
  - b. Claim number 6 (monitoring attorney-client conversations)
  - c. Claim number 13 (Eighth Amendment failure to treat bad tooth claim); and
  - d. Claim number 19 (Fourth Amendment search claims).
3. That all of the other claims and defendants be dismissed without prejudice;
4. Pipes shall have an additional fifteen (15) days from the filing of this order to file a proposed amended complaint addressing the deficiencies.

**IT IS SO ORDERED.**

Dated this 20th day of February, 2008.

/s/ Daniel L. Hovland  
Daniel L. Hovland, Chief Judge  
United States District Court